

ZB# 01-16

Christine Robles

38-3-7

Reclaim.

June 11, 2001

Motion for Public
Hearing
Granted

Public Hearing:
July 9, 2001.

Granted

Refund
\$203.00

#01-16 Robles, Christine

Area

38-2-7

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Robles, Christine

FILE# 01-16.

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

INTERPRETATION: \$150.00

AREA X

USE

APPLICATION FOR VARIANCE FEE \$ 50.00

* * *

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

*paid 6/20/01
ck. # 2600
paid 6/20/01
ck. # 2599.*

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 6/11/01 - 3 \$ 13.50

2ND PRELIMINARY- PER PAGE 7/23/01 \$ 13.50

3RD PRELIMINARY- PER PAGE \$

PUBLIC HEARING - PER PAGE \$

PUBLIC HEARING (CONT'D) PER PAGE \$

TOTAL \$ 27.00

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING: 6/11/01 \$ 75.00

2ND PRELIM. 7/23/01 \$ 75.00

3RD PRELIM. \$

PUBLIC HEARING. \$

PUBLIC HEARING (CONT'D) \$

TOTAL \$ 70.00

MISC. CHARGES:

..... \$

TOTAL \$ 97.00

LESS ESCROW DEPOSIT \$ 300.00

(ADDL. CHARGES DUE) \$

REFUND DUE TO APPLICANT .. \$ 203.00

ZBA # 01-16

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#653-2001

07/11/2001

Robles, Christine M.

Received \$ 50.00 for Zoning Board Fees on 07/11/2001. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

2600

Case 67-25191

pay to the
order of

T/ New Windsor

\$50.00

8/15/07

dollars

WILSON SAVINGS BANK
325 HUDSON ST.
CORNWALL, NY 12520

167 2BA # 01-14

[illegible]

CHRISTINE M. ROBBES

845-562-9226

3 COUTANT LN.

NEW WINDSOR, NY 12553

80-7131/2219

2588

date 6/20/01

pay to the
order of

T. New Windsor

\$300.00

Three hundred and no

dollars

ASPCA

WALDEN SAVINGS BANK

221 HUDSON ST.
CONNELL-DALLHOUSSE, NY 12528

for 23A-#01-16

Christine M. Robbes

⑆221971316⑆ 06 05 027193 2599

In the Matter of the Application of

CHRISTINE ROBLES

**MEMORANDUM OF
DECISION GRANTING
AREA VARIANCE**

#01-16.

WHEREAS, CHRISTINE ROBLES, 3 Coutant Lane, New Windsor, New York 12553, has made application before the Zoning Board of Appeals for an 11 ft. side yard variance for construction of a proposed addition at the above parcel in an R-4 zone; and

WHEREAS, a public hearing was held on the 23rd day of July, 2001 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant appeared by Ms. Christine Robles; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, none of the spectators spoke in favor of or in opposition to this Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.
2. The evidence presented by the Applicant showed that:
 - (a) The property is a residential property consisting of a one-family home located in a neighborhood containing one-family homes.
 - (b) Applicant seeks a variance to construct an addition to the home located on 3 Coutant Lane.
 - (c) If the addition is constructed, the home will be similar in appearance and size to other homes in the neighborhood.
 - (d) The addition, if built, will not create any water runoffs or problems.

- (e) The proposed addition will not be built on top of any water or sewer easements, or well or septic systems.
- (f) No trees or substantial vegetation will be removed in order to construct the addition.
- (g) Because of the proposed use for the addition and the layout of the present home, the addition must be constructed in the place indicated by the Applicant.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant which can produce the benefits sought.
3. The variance requested is substantial in relation to the Town regulations but nevertheless are warranted for the reasons listed above.
4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.
6. The benefit to the Applicant, if the requested variance is granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance is appropriate and is the minimum variance necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for an 11 ft. side yard variance for construction of an addition at the

above location in an R-4 zone as sought by the Applicants in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicants.

Dated: September 24, 2001.

A handwritten signature in black ink, reading "Lawrence W. Torley". The signature is written in a cursive style with a large, looped "L" and a stylized "T".

Chairman

Date AUGUST 8, 2001,

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Christine Robles. DR.
3 Colitant Lane, New Windsor, N.Y. 12553

DATE	CLAIMED	ALLOWED
8/8/01	\$203.00	
Refund of Escrow Deposit # 01-16		
Approved: ZBA		
Patricia C. Corsetti ZBA		

Date 8/7/01

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.

168 N. Drury Lane
Newburgh, N.Y. 12550

DATE			CLAIMED	ALLOWED
7/23/01	Zoning Board Mtg		75.00	
	Misc. - 2			
	Singh/Preet Deli - 4			
	20 th Century Towing - 6			
	Kolpan - 6			
	Lucas - 4			
	TNW/First Columbia - 3			
	VSH Realty/Quasar - 3			
	Pobles - 3 \$13.50			
	Picerno - 2			
	Bile - Tutor Time - 3			
	36		162.00	
			237.00	

ROBLES, CHRISTINE

MR. TORLEY: Request for 11 ft. side yard variance for proposed addition at 3 Coutant Lane in an R-4 zone.

Ms. Christine Robles appeared before the board for this proposal.

MR. TORLEY: What do you want to do?

MS. ROBLES: I want to put an addition on my house. I want to add a basement, a dining room, another bedroom, two bedrooms and a bath upstairs.

MR. KANE: How close does this bring you to the property line?

MS. ROBLES: I'm asking for 11 feet and I think it will bring it to 4 feet to the property line.

MR. KANE: Can you show us on her Christine just what you want to do?

MS. ROBLES: This is the front of the house, this dining room is going to come down and all the newer addition is going right there.

MR. KANE: So it's going to take the exact same space?

MS. ROBLES: It's going to be a little bit wider, that's why I have to ask for the variance.

MR. KANE: And you're coming to the front?

MS. ROBLES: Yes.

MR. KANE: It will look similar to other homes in your area?

MS. ROBLES: Yes.

MR. KANE: Not going to create any water runoffs or water problems?

MS. ROBLES: No, not unless God changes the nature of

things.

MR. TORLEY: How much wider than the existing house will this be, you're asking for?

MS. ROBLES: It's going to be 25 by 18, I believe the plans show.

MR. BABCOCK: Yes.

MR. KRIEGER: How will this be in comparison to other houses in the neighborhood?

MS. ROBLES: It will be an improvement because everyone else has a bigger house than me.

MR. KRIEGER: Will it be bigger than other houses or substantially the same size?

MS. ROBLES: Yes, the same.

MR. KRIEGER: It won't be built over the top of any sewer or water easement? *

MS. ROBLES: No, sir.

MR. KRIEGER: Or well or septic?

MS. ROBLES: No, sir.

MR. KANE: Not cutting down any trees?

MS. ROBLES: No, sir.

MR. TORLEY: At this time, I'll open it up to the public.

MS. CORSETTI: There should be 46 in the room because that's how many we sent out on June 25.

MR. TORLEY: Anyone in the audience wish to speak? Hearing none, I'll close the public hearing and open it back up to the board members if they have any further questions.

MR. KANE: Obviously, the neighbors don't care.

July 23⁹, 2001

30

MS. ROBLES: Actually, the neighbors are going to help me.

MR. REIS: I make a motion that we give Christine Robles the requested variance at Coutant Lane.

MR. KANE: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. MC DONALD	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

Prelim.
June 11, 2001
#01-16

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: 4/23/01

APPLICANT: Christine Robles
3 Coutant ~~Drive~~ Lane.
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Proposed Addition

LOCATED AT: 3 Coutant

ZONE: Sec/ Blk/ Lot: 38-3-7

DESCRIPTION OF EXISTING SITE: Existing one family house

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Proposed addition will not meet minimum 15ft side yard set-back.

COPY


BUILDING INSPECTOR

PERMITTED 15ft

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: F-8

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

4ft

11ft

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTION
CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building must be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

RECEIVED

APR 17 2001

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:

Building Permit #: 2001-307

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE PERMIT WILL BE ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Christine m. Robles

Address 3033 Coutant Ln. New Windsor Phone 562-9226

Mailing Address _____

Name of Architect Robert Sears

Address _____ Phone 562-3232

Name of Contractor Self

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder owner

If applicant is a corporation, signature of duly authorized officer. _____
(Name and title of corporate officer)

1. On what street is property located? On the _____ side of Constant Lane
(N,S,E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____

3. Tax Map Description: Section 38 Block 3 Lot 7

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy _____ b. Intended use and occupancy _____

5. Nature of work (check if applicable) New Bldg ☐ Addition ☒ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other ☐

6. Is this a corner lot? NO

7. Dimensions of entire new construction. Front 16' Rear 17'6" Depth 25' Height _____ No. of stories 2

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms 3 Baths 1 Toilets 1 Heating Plant: Gas _____ Oil ☒

Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost 38,000 Fee _____

PAID

CU# 2533
50-
4/18/01

STATE—HWY

NO. 32

170
DISTRICT

AGE

4

203.5

3

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84

233.9

205.3

1733

120

2217

101.7

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678

CONSOLIDATED

V-6-N.Y.-NO.16

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303

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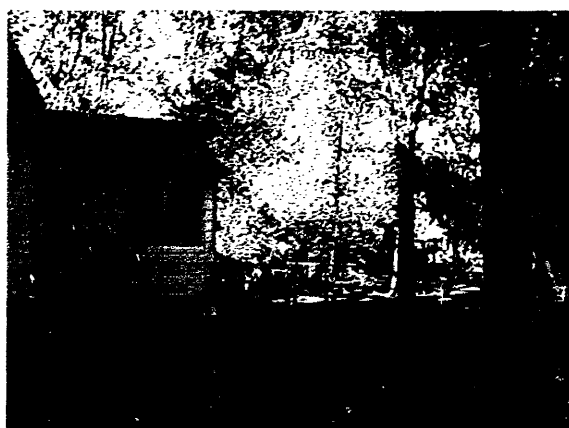


Image02



Image03

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**AFFIDAVIT OF
SERVICE
BY MAIL**

01-16.

PATRICIA A. CORSETTI, being duly sworn, deposes and says:

That on the 25th day of June, 2001, I compared the 46 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then caused the envelopes to be deposited in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

_____ day of _____, 20____.

Notary Public



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

June 19, 2001

Christine Robles
3 Coutant Lane
New Windsor, NY 12553

46

Re: 38-3-7

Dear Ms. Robles:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$65.00, minus your deposit of \$25.00.

Please remit the balance of \$40.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook
Sole Assessor

LC/lrd

CC: Pat Corsetti, ZBA

39-1-1
Glen & Fabiann Messenger
45 Harth Drive
New Windsor, NY 12553 X

38-3-6
Coleen & Frederick Simoni
1 Coutant Lane
New Windsor, NY 12553 X

38-3-55
Oju Minima
38 Willow Parkway
New Windsor, NY 12553 X

39-1-2
Earl & MariPat Barnes
47 Harth Drive
New Windsor, NY 12553 X

38-3-8
James & Rachael McDermott
5 Coutant Lane
New Windsor, NY 12553 X

38-3-56
Eileen Fox
40 Willow Parkway
New Windsor, NY 12553 X

38-1-15
Brian Inkeles
8 Windsor Garden Drive
New Windsor, NY 12553 X

38-3-9
Consolidated Rail Corp.
6 Penn Center Plaza
Philadelphia, PA 19103 X

38-4-1
Lianne & William Hanaford
27 Willow Parkway
New Windsor, NY 12553 X

38-1-16
RonJon Homes, Inc.
P.O. Box 533
Modena, NY 12548 X

38-3-10
Central Hudson Gas & Electric Corp.
284 South Avenue
Poughkeepsie, NY 12602 X

38-4-2
Richard & Marlene Alfano
25 Willow Parkway
New Windsor, NY 12553 X

38-1-17
Margaret Johnson-Pertet
1 Windsor Garden Drive
New Windsor, NY 12553 X

38-3-11
Michael & Marlene Kane
43 Harth Drive
New Windsor, NY 12553 X

38-4-3
John & Antoinette Guerriero
23 Willow Parkway
New Windsor, NY 12553 X

38-1-18
Phillip & Christina Melore
3 Windsor Garden Drive
New Windsor, NY 12553 X

38-3-12
Jon & Elizabeth Huxel
Life Est. for Charlotte Huxel
41 Harth Drive
New Windsor, NY 12553 X

38-4-13
Luigi & Carolina DeGennaro
29 Willow Parkway
New Windsor, NY 12553 X

38-3-1
Grace Coutant
Donna Harrison
C/o Donna Harrison
RD 3 Leeland Road
Newburgh, NY 12550 X

38-3-51
Rebecca Kanan
30 Willow Parkway
New Windsor, NY 12553 X

35-1-40
Aloysius & Paul Schatz
234 Windsor Highway
New Windsor, NY 12553 X

38-3-2
Albert Richard Frangello
P.O. Box 4110
New Windsor, NY 12553 X

38-3-52
Richard & Kathleen Hovey
32 Willow Parkway
New Windsor, NY 12553 X

35-3-1
Ronald & Kathleen Mackey
286 Garden Street
New Windsor, NY 12553 X

38-3-3
Norma Jean Frangello
P.O. Box 4624
New Windsor, NY 12553 X

38-3-53
Jack & Josephine Hirsch
34 Willow Parkway
New Windsor, NY 12553 X

35-3-2
Joseph & Gloria Olgin
15 Windsor Square Drive
New Windsor, NY 12553 X

38-3-4
Derekson Kornegay
245 Windsor Highway
New Windsor, NY 12553 X

38-3-54
Bonnie Jean Bale
36 Willow Parkway
New Windsor, NY 12553 X

35-3-3
Shamsuddin Shamin
13 Windsor Square Drive
New Windsor, NY 12553 X

35-3-4

Oscar & Jenny Tamayo
1 Windsor Square Drive
New Windsor, NY 12553

35-4-6

Michael & Patricia Colucci
283 Garden Street
New Windsor, NY 12553

35-3-5

Marilynne & Ronald Trioano
266 Garden Street
New Windsor, NY 12553

35-4-7

Bruce & Stephanie Bogerd
281 Garden Street
New Windsor, NY 12553

35-3-6

Miguel & Monica Placencia
270 Garden Street
New Windsor, NY 12553

35-4-8

Ramon & Ana Santos
277 Garden Street
New Windsor, NY 12553

35-3-7

Jose & Angela Montoya
274 Garden Street
New Windsor, NY 12553

35-4-9

Lee & Theresa Gloffke
273 Garden Street
New Windsor, NY 12553

35-3-8

Luis & Milene Castillo
280 Garden Street
New Windsor, NY 12553

35-4-10

Michael Lennon Jr.
Jeanine Hicks
269 Garden Street
New Windsor, NY 12553

35-4-1

Matthew Bailen
301 Garden Street
New Windsor, NY 12553

Windsor Crest Homeowners Association
Archway Management Inc.
P.O. Box 454
Central Valley, NY 10917
Thomas Tschinkel, President

35-4-2

Darryl & Zulma Melvin
297 Garden Street
New Windsor, NY 12553

35-4-3

Donald & Mary Lou Napolitano
293 Garden Street
New Windsor, NY 12553

35-4-4

Eric & Crystal Payne
291 Garden Street
New Windsor, NY 12553

35-4-5

Thomas Fox
287 Garden Street
New Windsor, NY 12553

Date 7/7/01

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12550

DATE			CLAIMED	ALLOWED
6/11/01		Zoning Board mty	75 00	
		Misc. 2		
		Bibles - 3 13.50		
		DeFazio - 3		
		Merecki - 6		
		Lawrence Lorenzen - 3		
		Lorgan - 3		
		Bittles - 4		
		Thomas - 3		
		Morris - 7		
		Zupitza - 4		
		38	171 00	
			246 00	

PRELIMINARY MEETINGS:

ROBLES, CHRISTINE

MR. TORLEY: Request for 11 foot side yard variance for proposed addition at 3 Coutant Drive in an R-4 zone. Is Ms. Robles here?

Ms. Christine Robles appeared before the board for this proposal.

MR. TORLEY: Tells us what you want to do.

MS. ROBLES: I want to put an addition on the side of my house. Do you want to know what it's including? A basement, a dining room, a bedroom, two bedrooms, and a bath upstairs.

MR. TORLEY: And this, Mike, it's a side yard variance. What does she need in that zone?

MR. BABCOCK: She needs 15 feet. She's going to be four foot. We're giving her a little allowance. It says 4.21, so she needs an 11 foot variance.

MR. TORLEY: For everybody's information, the zoning board exists to help people out that have unusual situations with their houses. The zoning code exists to protect you and your neighbors from somebody just dumping a toxic waste dump next to your kindergarten site. This can happen. But there's always going to odd changes or people who need a little help on things that just don't quite fit like Ms. Robles has. This is the only spot that you can put your addition?

MS. ROBLES: Yes.

MR. TORLEY: One of the criteria we have is economic hardship. So, it's economically infeasible for you to put it someplace else to meet the zoning code?

MS. ROBLES: Right.

MR. TORLEY: As I said earlier, the purpose of these preliminary hearings is so you can hear what our questions are going to be at the public hearing so you won't be surprised and you'll have the answers ready and you'll know what questions need to be answered. You're not going to be putting this addition up over any sewer easements or anything like that?

MS. ROBLES: No, sir.

MR. TORLEY: Not going to be changing the flow of water or drainage?

MS. ROBLES: No.

MR. TORLEY: Not taking down any big trees?

MS. ROBLES: No.

MR. TORLEY: Is this going, do other people have similar --

MS. ROBLES: It's going to be similar to the houses that already have their additions on it.

MR. McDONALD: Accept a motion?

MR. TORLEY: Yeah.

MR. McDONALD: I make a motion we set Ms. Robles up for a public hearing with her request for a 11 foot side year variance.

MR. TORLEY: A second?

MR. RIVERA: I second it.

ROLL CALL

MR. RIVERA AYE

MR. McDONALD AYE

MR. TORLEY AYE

MR. TORLEY: One thing I'd suggest for everyone, there's a form that Ms. Robles was given. It's actually an intelligible government form. It tells you all the steps you have to go through to get a public hearing and apply for your variances. One of the things you're going to have to do is send out a letter to all of your neighbors or anybody within 500 feet of your property line. The letter is sort of a legal form letter. It's not necessarily very informative. It's telling them you're going to have a public hearing or asking for a variance from Section blah blah blah of the code. It's a good idea to talk to your neighbors and tell them what you're doing so they know what's up. One of the things that we take into heavy account, or weigh very heavily I should say, is the response of the

June 11, 2001

4

neighbors. So, talk to your neighbors about what you want to do so they don't get surprised by a letter coming from the government agencies. So, you're all set. Take those forms and you're finished for the night.

MR. JAMES: Let me ask you a question. What if the situation already exists?

MR. TORLEY: Wait till we get to you. Otherwise, we'll be here all night.

Pls. publish immediately. Send bill to Applicant.

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 16

Request of Christine Robles

for a VARIANCE of the Zoning Local Law to Permit:

proposed addition of less than the allowable side yard;

being a VARIANCE of Section 48-12- Table of Use/Bulk Reg. - Col. F

for property situated as follows:

3 Coutant Lane, New Windsor

known and designated as tax map Section 38, Blk. 3 Lot 7

PUBLIC HEARING will take place on the 9th day of July, 2001 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

Lawrence Torley
Chairman

By: Patricia A. Corsetti, Secy.

LESLIE A. SOUKUP*Attorney At Law***23 Clark Avenue****Cornwall-on-Hudson, New York 12520****(914) 534-8685****June 11, 1996**

**Ms. Christine M. Nobles
371 Hudson Street
Cornwall-on-Hudson, New York 12520**

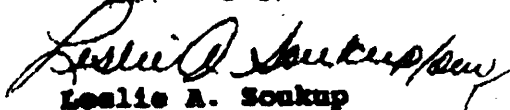
**Re: Poody to Nobles
241 Windsor Highway**

Dear Christine,

I am enclosing herewith, your original deed, recorded in the office of the Orange County Clerk on May 15, 1996 in Liber 4384 of Deeds at page 105.

Kindly keep this document in a safe place for future use and/or reference.

Very truly yours,


Leslie A. Soukup

**LAG:dvv
ends.**

TITLE NO. RCA-ST-3746

SCHEDULE A

ALL that certain plot, piece or parcel of land situate, lying and being in the Town of New Windsor, County of Orange and State of New York, being bounded and described as follows:

BEGINNING at a point in a private road known as Wood Lane said point being the following two courses along the center of Wood Lane from the southeast line of New York State Route 32 (Windsor Highway), South 42 degrees 59' 00" East 152.00 feet; thence, South 26 degrees 54' 00" East 84.04 feet; thence from said point of beginning, North 53 degrees 06' 00" East 127.25 feet along lands now or formerly of Bennett; thence, South 29 degrees 43' 03" East 82.44 feet along lands now or formerly of Linder; thence, South 62 degrees 38' 00" West 116.44 feet along lands now or formerly of McDermott; thence, North 26 degrees 54' 00" West 60.81 feet along lands now or formerly of Frungello, being center of Wood Lane, to the point of **BEGINNING**.

TOGETHER with and subject to rights of ingress and egress to New York State Route 32 (Windsor Highway) along the above mentioned private road (Wood Lane), subject to the payment of a proportionate part of the upkeep of said private road and the cost of snow removal there from computed at the proportion that the area of the premises above described bears to the area of other parties having similar rights therein.

TOGETHER with the right to use for domestic purposes a well located approximately on the line between the premises above described and other premises adjoining the same on the southeast in common with all others having similar rights therein and subject to such rights.

TOGETHER with the right in common with all others having similar rights therein and subject to such rights to use an underground pipe line or drain located in the easterly portion of the premises above described and of other premises adjoining the same on the north and south and extending southeasterly to a point near lands of the Consolidated Rail Corporation for the purposes of receiving and conducting away the overflow from a septic tank and other waste waters from the premises above described, with the right to go upon said lands for the purposes of relaying, repairing or cleaning said pipe line, subject to the payment of a proportionate part of the expense of which including the expenses of restoring the surface of the ground to its former condition, computed at the proportion at that the area of the premises above described bears to the area of other premises having similar rights thereon.

For conveyancing only,
to be conveyed

Together with all right, title if intended and interest of, in and to any streets and road abutting the above described premises, to the center line thereof.

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



TYPE NAME(S) OF PARTY(S) TO DOCUMENT: BLACK INK

Liam Joseph Foddy
TO
Christine M. Robles

SECTION 38 BLOCK 3 LOT 7

RECORD AND RETURN TO:
(Name and Address)

THERE IS NO FEE FOR THE RECORDING OF THIS PAGE

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH

RECORDED INSTRUMENT ONLY

Leslie Gorkup Esc.
23 Clark Ave
Cornwall on Hudson, NY
12520

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED ☒ MORTGAGE ☐ SATISFACTION ☐ ASSIGNMENT ☐ OTHER ☐

PROPERTY LOCATION

___ 2089 BLOOMING GROVE (TN)
___ 2001 WASHINGTONVILLE (MCG)
___ 2289 CHESTER (TN)
___ 2201 CHESTER (MCG)
___ 2489 CORNWALL (TN)
___ 2401 CORNWALL (MCG)
___ 2806 CRAWFORD (TN)
___ 2800 DEER PARK (TN)
___ 3088 GOSHEN (TN)
___ 3001 GOSHEN (MCG)
___ 3003 FLORIDA (MCG)
___ 3005 CHESTER (MCG)
___ 3200 GREENVILLE (TN)
___ 3489 HAMPTONBURGH (TN)
___ 3401 MAYBROOK (MCG)
___ 3688 HIGHLANDS (TN)
___ 3601 HIGHLAND FALLS (MCG)
___ 3889 MINISINK (TN)
___ 3801 UNIONVILLE (MCG)
___ 4089 MONROE (TN)
___ 4001 MONROE (MCG)
___ 4003 HARRIMAN (MCG)
___ 4005 KIRKAS JOEL (MCG)

___ 4289 MONTGOMERY (TN)
___ 4201 MAYBROOK (MCG)
___ 4203 MONTGOMERY (MCG)
___ 4205 WALDEN (MCG)
___ 4489 MOUNT HOPE (TN)
___ 4401 OTISVILLE (MCG)
___ 4600 NEWBOURGH (TN)
___ 4800 NEW WINDSOR (TN)
___ 5089 TUXEDO (TN)
___ 5001 TUXEDO PARK (MCG)
___ 5200 WALLKILL (TN)
___ 5489 WATWICK (TN)
___ 5401 FLORIDA (MCG)
___ 5403 GREENWOOD LAKE (MCG)
___ 5405 WATWICK (MCG)
___ 5600 WAWATANDA (TN)
___ 5889 WOODBURY (TN)
___ 5801 WATKINMAN (MCG)

CITIES

___ 0000 MIDDLETOWN
___ 1100 NEWBOURGH
___ 1300 PORT JERVIS

___ 9999 HOLD

NO. PAGES 3 CROSS REF
CENT. COPY ☐ AFT. FILED

PAYMENT TYPE: CHECK ☒
CASH ☐
CHARGE ☐
NO FEE ☐

CONSIDERATION \$ 61,900.00
TAX EXEMPT ☐

MORTGAGE AMT \$
DATE

MORTGAGE TYPE:

___ (A) COMMERCIAL
___ (B) 1 OR 2 FAMILY
___ (C) UNDER \$10,000.
___ (E) EXEMPT
___ (F) 3 TO 6 UNITS
___ (I) NAT. PERSON OR UNION
___ (J) NAT. PER. CR. UNIT OR 2
___ (K) CONDO

Joan A. Macchi

JOAN A. MACCHI
Orange County Clerk

RECEIVED FROM: River City Abco

4384PG 105

On the 19 day of May 19 90, before me
personally came
Liam Joseph Foody

to me known to be the individual described in and who
executed the foregoing instrument, and acknowledged that
executed the same.

x 
STEVEN MARK LANDAU
Notary Public, State of New York
No. 40177
Qualified in Orange County
Commission Expires March 30, 1997
EML

STATE OF NEW YORK, COUNTY OF

On the day of 19, before me
personally came
to me known, who, being by me duly sworn, did depose and
say that he resides at No.

that he is the
of

the corporation described
in and which executed the foregoing instrument; that he
knows the seal of said corporation; that the seal affixed
to said instrument is such corporate seal; that it was so
affixed by order of the board of directors of said corpora-
tion, and that he signed his name thereto by like order.

On the day of 19, before me
personally came

to me known to be the individual described in and who
executed the foregoing instrument, and acknowledged that
executed the same.

STATE OF NEW YORK, COUNTY OF

On the day of 19, before me
personally came
the subscribing witness to the foregoing instrument, with
whom I am personally acquainted, who, being by me duly
sworn, did depose and say that he resides at No.

that he knows

to be the individual
described in and who executed the foregoing instrument;
that he, said subscribing witness, was present and saw
execute the same; and that he, said witness,
at the same time subscribed his name as witness thereto.

Mortgage and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO.

FOODY

TO
ROBLES

SECTION 38

BLOCK 3

LOT 7

COUNTY ~~of~~ Orange

Recorded At Request of
First American Title Insurance Company of New York
RETURN BY MAIL TO:

Leslie Soukup, Esq.
23 Clark Avenue
Cornwall on Hudson, N.Y.
12520

Zip No.

STANDARD FORM OF NEW YORK BOARD OF TITLE INSURANCE
Distributed by
First American Title Insurance Company
of New York



STATE OF NEW YORK, COUNTY OF

ss:

STATE OF NEW YORK, COUNTY OF

ss:

On the day of 19 , before me
personally came
to me known, who, being by me duly sworn, did depose and
say that he resides at No.

that he is the
of

the corporation described
in and which executed the foregoing instrument; that he
knows the seal of said corporation; that the seal affixed
to said instrument is such corporate seal; that it was so
affixed by order of the board of directors of said corpora-
tion, and that he signed his name thereto by like order.

On the day of 19 , before me
personally came
the subscribing witness to the foregoing instrument, with
whom I am personally acquainted, who, being by me duly
sworn, did depose and say that he resides at No.

that he knows

to be the individual
described in and who executed the foregoing instrument;
that he, said subscribing witness, was present and saw
execute the same; and that he, said witness,
at the same time subscribed his name as witness thereto.

Margolin and Dale Webb
WITH COVENANT AGAINST GRANTOR'S ACTS

SECTION 38
BLOCK 3

TITLE NO.

LOT 7

AS SPACE FOR USE OF RECORDING OFFICE

11/12/94 107

Legal and Not Used with Consent of the Attorney General (Single Sheet)

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ON

THIS INDENTURE, made the 7th day of May, nineteen hundred and ninety-six

BETWEEN

Liam Joseph Foody
P.O. Box 649 ~~374~~ Mine Road
Fort Montgomery, N.Y. 10922

party of the first part, and

Christine M. Robles
371 Hudson Street
Cornwall on Hudson, N.Y. 12520

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situated and being in the

-See Schedule A Attached-

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

10143540 106

Liam Joseph Foody
Liam Joseph Foody

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

01-16
Date: 6/20/01

I. ☒ Applicant Information:

- (a) Christine M. Robles 3 Countant Ln New Windsor, NY 562-9226
(Name, address and phone of Applicant) (Owner)
(b) _____
(Name, address and phone of purchaser or lessee)
(c) _____
(Name, address and phone of attorney)
(d) _____
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
☒ Area Variance ☐ Interpretation

III. ☒ Property Information:

- (a) P-4 3 Countant Ln 38-3-7 60.8 x 127 ±
(Zone) (Address) (S B L) (Lot size)
(b) What other zones lie within 500 ft.? C
(c) Is a pending sale or lease subject to ZBA approval of this application? NO
(d) When was property purchased by present owner? May 8, 1996
(e) Has property been subdivided previously? NO
(f) Has property been subject of variance previously? NO
If so, when? _____
(g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? NO
(h) Is there any outside storage at the property now or is any proposed? Describe in detail: NO

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes _____ No _____.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

V. ☒ Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of 1/1s/Bulk Regs., Col. F.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. <u>15 ft.</u>	<u>4 ft</u>	<u>11 ft</u>
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only

** No-residential districts only

☒ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

For the purpose of a larger area of living for my 2 teenage boys who are currently occupying a very small bedroom to allow me to add a bathroom for a bathroom.

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: *N/A.*

(a) Variance requested from New Windsor Zoning Local Law, Section _____, _____ Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign ..	_____	_____	_____
Sign 3	_____	_____	_____
Sign	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation: *N/A.*

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

Propose building will not in anyway disturb trees or landscaping if anything will better and improve the look of the current house.

IX. Attachments required:

- ☒ Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- ☒ Copy of tax map showing adjacent properties.
- ☐ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of deed and title policy.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☒ *N/A* Copy(ies) of sign(s) with dimensions and location.
- ☒ Two (2) checks, one in the amount of \$ 300.00 and the second check in the amount of \$ 50.00, each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

X. Affidavit.

Date: 6/20/01

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

[Signature]
(Applicant)

Sworn to before me this 20th day of June, 2001

XI. ZBA Action: *Patricia A. Corsetti*

(a) Public Hearing date: _____

PATRICIA A. CORSETTI
Notary Public, State of New York
No. 01BA4904434
Qualified in Orange County
Commission Expires August 31, 2001.